

**Appl. No.** : 10/815,919  
**Filed** : April 1, 2004

### **REMARKS**

As of this Response, Claims 1–6, 8 and 9 are pending in this application. In the June 30, 2005 Office Action, the Examiner indicates that dependent Claim 2 would be allowable if rewritten in independent form to include all the limitations of the base claim.

The Examiner rejects Claims 1 and 3–7. In particular, the Examiner rejects Claim 7 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner rejects Claims 1, 5 and 7 under 35 U.S.C. § 102(a) as being anticipated by German Patent No. DE 101 25 510 A1 to Menna (“Menna”).

The Examiner further rejects Claims 3, 4 and 6 under 35 U.S.C. § 103(a). In particular the Examiner rejects Claim 3 as being unpatentable over Menna in view of U.S. Patent No. 5,105,127 to Lavaud et al. (“Lavaud”). The Examiner rejects Claim 4 as being unpatentable over Menna in view of U.S. Patent No. 5,463,284 to Mattas (“Mattas”). The Examiner also rejects Claim 6 as being unpatentable over Menna in view of U.S. Patent No. 5,841,650 to Stevens (“Stevens”).

By this Response, Applicant has cancelled Claim 7 without prejudice or disclaimer and has amended Claims 1 and 5. New Claims 8 and 9 have been added, and Claims 2–4 and 6 remain as originally filed.

### **ALLOWABLE SUBJECT MATTER – NEW CLAIM 9**

Applicant thanks the Examiner for the indication of allowable subject matter in dependent Claim 2, and Applicant has added new independent Claim 9, which incorporates all the limitations of dependent Claim 2 and the limitations of independent Claim 1 as originally filed. Applicant, therefore, respectfully requests allowance of Claim 9.

### **REJECTION UNDER 35 U.S.C. § 102(a) – CLAIMS 1 AND 5**

The Examiner rejects Claims 1 and 5 as being anticipated by Menna. In view of the foregoing amendments and following remarks, Applicant submits that amended Claims 1 and 5 are patentably distinguished over Menna.

Appl. No. : 10/815,919  
Filed : April 1, 2004

### **Claim 1**

With reference to Claim 1 of the present application, a lighting circuit is disclosed that comprises a bypass circuit coupled across pins provided to a filament in a discharge lamp. The bypass circuit further comprises passive electronic devices that are relatively inactive when the filament is in working condition and that become active to allow continued starting and lighting of the discharge lamp when the filament is broken.

Menna does not appear to disclose the lighting circuit recited in amended Claim 1. In particular, Menna does not appear to disclose a bypass circuit comprising passive electronic devices. Rather, the portion of Menna cited by the Examiner (i.e., Figures 2 and 5) depicts a connecting cable that extends between pins of a fluorescent lamp. With reference to related U.S. Patent Application No. 2004/00415424 to Menna, which appears to be an English equivalent of the cited Menna reference, the connecting or bridging cable 20, 50 forms a bypass circuit so that current can flow therethrough when an electrode of the fluorescent burns out. The cable of Menna is not a "bypass circuit coupled across pins provided to a filament . . . , wherein the bypass circuit bypass circuit comprises passive electronic devices," as recited in amended Claim 1.

Because Menna does not disclose a bypass circuit comprising passive electronic devices that are relatively inactive when the filament is in working condition and that become active to allow continued starting and lighting of the discharge lamp when the filament is broken, Applicant respectfully submits that amended Claim 1 is patentably distinguished over the cited reference. Applicant, therefore, respectfully requests that the rejection of Claim 1 be withdrawn.

### **Claim 5**

Amended independent Claim 5 is believed to be patentably distinguished over Menna for reasons similar to those set forth with respect to the patentability of amended independent Claim 1 and for the different features recited therein. Applicant, therefore, respectfully requests that the rejection of Claim 5 be withdrawn.

### **REJECTION UNDER 35 U.S.C. § 103(a) – CLAIMS 3, 4 AND 6**

The Examiner rejects Claims 3, 4 and 6 under 35 U.S.C. § 103(a). In particular the Examiner rejects Claim 3 as being unpatentable over Menna in view of Lavaud. The Examiner rejects Claim 4 as being unpatentable over Menna in view of Mattas. The Examiner also rejects

**Appl. No.** : **10/815,919**  
**Filed** : **April 1, 2004**

Claim 6 as being unpatentable over Menna in view of Stevens. For the reasons set forth below, Applicant respectfully disagrees.

**Claim 3**

Claim 3 depends from amended independent Claim 1 and is believed to be patentably distinguished over the cited references for the same reasons set forth above with respect to the patentability of amended independent Claim 1 and for the additional features recited therein. That is, Applicant submits that neither Menna, nor Lavaud, nor a combination thereof, teaches or suggests a “bypass circuit coupled across pins provided to a filament . . . , wherein the bypass circuit comprises passive electronic devices.” Applicant, therefore, respectfully requests that the rejection of Claim 3 be withdrawn.

**Claim 4**

Claim 4 depends from amended independent Claim 1 and is believed to be patentably distinguished over the cited references for the same reasons set forth above with respect to the patentability of amended independent Claim 1 and for the additional features recited therein. That is, Applicant submits that neither Menna, nor Mattas, nor a combination thereof, teaches or suggests a “bypass circuit coupled across pins provided to a filament . . . , wherein the bypass circuit comprises passive electronic devices.” Applicant, therefore, respectfully requests that the rejection of Claim 4 be withdrawn.

**Claim 6**

Claim 6 depends from amended independent Claim 5 and is believed to be patentably distinguished over the cited references for the same reasons set forth above with respect to the patentability of amended independent Claim 5 and for the additional features recited therein. That is, Applicant submits that neither Menna, nor Stevens, nor a combination thereof, teaches or suggests a “bypass circuit coupled across pins provided to a filament . . . , wherein the bypass circuit comprises passive electronic devices.” Applicant, therefore, respectfully requests that the rejection of Claim 6 be withdrawn.

Appl. No. : 10/815,919  
Filed : April 1, 2004

## DEPENDENT CLAIMS 2 AND 8

Claim 2 depends from amended independent Claim 1 and is believed to be patentably distinguished over the cited references for the same reasons set forth above with respect to the patentability of amended independent Claim 1 and for the additional features recited therein.

New Claim 8 depends from amended independent Claim 5 and is believed to be patentably distinguished over the cited references for the same reasons set forth above with respect to the patentability of amended independent Claim 5 and for the additional features recited therein.

## SUMMARY

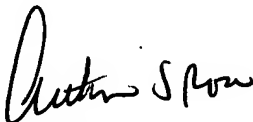
In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/31/05

By:   
Arthur S. Rose  
Registration No. 28,038  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

2011626  
102005